IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 3496 OF 2003

IN

SUMMONS FOR JUDGMENT NO. 556 OF 2002

Gala and Soni Timber Works ...Plaintiffs.
vs.
M/s. Bright Engineers and ORs. ...Defendants.

V.M. Waghela for the plaintiffs.

C.N. Chavan for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 2nd March, 2006.

P.C. :

1. The present motion is taken out for restoration of the Summons for Judgment which is dismissed for default by an order dated 22.7.2003. The ground given is that the earlier

advocate was not well and thus he asked to change the advocate. Learned counsel for the plaintiff further states that at the payment of cost atleast the matter should be heard on merits. For the reasons set out in the affidavit in support and in the light of the request made by the learned counsel for the plaintiff I grant prayer clause (a) and (b) subject to the plaintiff paying cost of Rs.5000/- to the Maharashtra Legal Aid Services Authority within a period of three weeks. If the amount is not paid motion to stand dismissed,

sd/-

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